

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	:	Not Assigned
Filed	:	August 25, 2003
Patent No.	:	6,279,298
Granted	:	August 28, 2001
Patentees	:	Toby R. Thomas Samuel D. Aversa John D. Athans
Title	:	Fill-Through-The-Top Package And Method And Apparatus For Making The Same
TC/A.U.	:	Not Assigned
Examiner	:	Not Assigned
Docket No.	:	47097-00057USPR
Customer No.	:	30223

Commissioner for Patents  
Mail Stop Reissue  
P.O. Box 1450  
Alexandria, VA 22313-1450

**ELECTION UNDER 37 C.F.R. §§ 3.71 AND 3.73  
AND POWER OF ATTORNEY**

Dear Sir:

The undersigned, being Assignee of record of the entire interest in the above-identified application by virtue of an Assignment recorded in the U.S. Patent and Trademark Office as set forth below, hereby elects, under 37 C.F.R. § 3.71, to prosecute the application to the exclusion of the inventors.

The Assignee hereby revokes any previous Powers of Attorney and appoints:

ROBERT L. ABDON, Reg. No. 50,996  
TIMOTHY G. ACKERMANN, Reg. No. 44,493  
BENJAMIN J. BAI, Reg. No. 43,481  
JOSEPH M. BEAUCHAMP, Reg. No. 46,544  
NORMA BENNETT, Reg. No. 51,229  
MICHAEL D. BERGER JR., Reg. No. 52,616  
MARY JO BOLDINGH, Reg. No. 34,713  
MARGARET A. BOULWARE, Reg. No. 28,708  
DANIEL J. BURNHAM, Reg. No. 39,618  
SORINEL CIMPOES, Reg. No. 48,311  
JASON W. COOK, Reg. No. 48,456  
ANDREW G. DINOVO, Reg. No. 40,115  
STUART D. DWORK, Reg. No. 31,103  
JANET M. GARETTO, Reg. No. 42,568  
MARK J. GATSCHET, Reg. No. 42,569  
JOHN C. GATZ, Reg. No. 41,774

RUSSELL J. GENET, Reg. No. 42,571  
ANIL V. GOLLAHALI, Reg. No. 48,996  
LEKHA GOPALAKRISHNAN, Reg. No. 46,733  
STEVEN R. GREENFIELD, Reg. No. 38,166  
J. PAT HEPTIG, Reg. No. 40,643  
SHARON A. ISRAEL, Reg. No. 41,867  
JOHN R. KIRK JR., Reg. No. 24,477  
PAUL R. KITCH, Reg. No. 38,206  
TIMOTHY M. KOWALSKI, Reg. No. 44,192  
HSIN-WEI LUANG, Reg. No. 44,213  
MICHAEL MADDOX, Reg. No. 47,764  
ROGER L. MAXWELL, Reg. No. 31,855  
LISA H. MEYERHOFF, Reg. No. 36,869  
ASHLEY N. MOORE, Reg. No. 51,667  
STANLEY R. MOORE, Reg. No. 26,958  
DANIEL G. NGUYEN, Reg. No. 42,933

CONSTANCE L. PIELECH, Reg. No. 46,991  
GREGORY PORTER, Reg. No. 40,131  
ROSS T. ROBINSON, Reg. No. 47,031  
STEPHEN G. RUDISILL, Reg. No. 20,087  
JERRY R. SELINGER, Reg. No. 26,582  
ZACHARY J. SMOLINSKI, Reg. No. 47,100  
JUSTIN SWINDELLS, Reg. No. 48,733  
STEVE Z. SZCZEPANSKI, Reg. No. 27,957  
ANDRE M. SZUWALSKI, Reg. No. 35,701  
ALAN R. THIELE, Reg. No. 30,694  
CYNTHIA K. THOMPSON, Reg. No. 48,655  
TAMSEN VALOIR, Reg. No. 41,417  
BRIAN D. WALKER, Reg. No. 37,751  
HAROLD N. WELLS, Reg. No. 26,044  
WILLIAM D. WIESE, Reg. No. 45,217

all of the firm of **JENKENS & GILCHRIST, a Professional Corporation**, 225 West Washington Street, Suite 2600, Chicago, Illinois 60606-3418, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof, and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Daniel J. Burnham  
Jenkins & Gilchrist  
225 West Washington Street, Suite 2600  
Chicago, IL 60606-3418  
(312) 425-3900

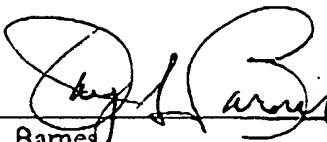
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Pursuant to 37 C.F.R. § 3.73, the undersigned has reviewed the evidentiary documents, specifically the Assignment referenced below, and certifies that to the best of his knowledge and belief, title remains in the name of Pactiv Corporation.

PACTIV CORPORATION

Date: \_\_\_\_\_

8/20/03

  
Jay S. Barnes  
Assistant Secretary

Assignment

\_\_\_\_ Concurrently filed

X Previously recorded

Date: March 26, 2001

Reel: 011648

Frame: 0762

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**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Pactiv Corporation

Application No./Patent No.: 6,279,298

Filed/Issue Date: August 28, 2001

Entitled: Fill-Through-The-Top Package And Method And Apparatus For Making The Same

Pactiv Corporation, a corporation,

(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_%  
in the patent application/patent identified above by virtue of either:

- A. ☐ an assignment from the inventor(s) of the patent application/patent identified above

The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_  
Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☒ a chain of title from the inventor(s), of the patent application/patent identified above,  
to the current assignee as shown below.

1. From: inventors To: Tenneco Packaging Inc.

The document was recorded in the United States Patent and Trademark Office at Reel  
010173, Frame 0493, or for which a copy thereof is attached.

2. From: Tenneco Packaging Inc. To: Pactiv Corporation

The document was recorded in the United States Patent and Trademark Office at Reel  
011648, Frame 0762, or for which a copy thereof is attached.

- ☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document)  
must be submitted to the Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be  
recorded in the records of the USPTO. See MPEP 302.08.]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Date: 8/21/03

  
Jay S. Barnes  
Assistant Secretary

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on  
the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231.  
DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

OCTOBER 20, 1999

PTAS

ARNOLD, WHITE & DURKEE  
RONALD B. COOLLEY  
P.O. BOX 4433  
HOUSTON, TX 77210



\*101125160A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/12/1999

REEL/FRAME: 010173/0493

NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

THOMAS, TOBY R.

DOC DATE: 08/12/1999

ASSIGNOR:

AVERSA, SAMUEL D.

DOC DATE: 08/12/1999

ASSIGNOR:

ATHANS, JOHN D.

DOC DATE: 08/12/1999

ASSIGNEE:

TENNECO PACKAGING INC.  
1900 WEST FIELD COURT  
LAKE FOREST, ILLINOIS 60045

SERIAL NUMBER: 09373312

FILING DATE: 08/12/1999

PATENT NUMBER:

ISSUE DATE:

010173/0493 PAGE 2

TONYA LEE, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

08-23-1999

FORM PTO-1595  
(Rev. 6-93)

OMB No. 0651-0011 (exp. 4/94)

U.S. Department of Commerce

101125160  
PATENTS ONLY

Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

## 1. Name of conveying party(ies):

Toby R. Thomas; Samuel D. Aversa and John D. Athans

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: August 12, 1999

## 2. Name and address of receiving party(ies):

Name: Tenneco Packaging Inc.

Internal Address:

Street Address: 1900 West Field Court

City: Lake Forest  
60045

State: IL Zip:

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the execution date of the application is: August 10, 1999

A. Patent Application No.(s):

B. Patent No.(s):

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ronald B. Coolley  
Arnold White & Durkee  
P.O. Box 4433

City: Houston State: Texas Zip: 77210

6. Total number of applications and patents involved: 17. Total fee (37 C.F.R. 3.41)----- \$ 40.00☒ Enclosed☒ Authorized to be charged to deposit account  
if check insufficient or inadvertently omitted8. Deposit account number: 01-2508/PCOS:031

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Michael J. Blankstein

8-12-99

Name of Person Signing, Reg. No. 37,097

Signature

Date

Total number of pages including cover sheet, attachments and documents: 4

Mail documents to be recorded with required cover sheet information to:  
 Commissioner of Patents and Trademarks, Office of Public Records,  
 Crystal Gateway 4, Room 335, Washington, D.C. 20231

08/20/1999 DCDATES 00000057 09373312

FC:581

## EXPRESS MAIL MAILING LABEL

NUMBER: 40.00 0P  
EM340961720USDATE: August 12, 1999

I hereby certify that this paper or fee is being deposited with the United States Postal Service "EXPRESS MAIL POST OFFICE TO ADDRESSEE" service under 37 C.F.R. 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington D.C. 20231

Signature

ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, do hereby:

**SELL, ASSIGN AND TRANSFER** to Tenneco Packaging Inc. (the "Assignee"), a corporation of Delaware, having a place of business at 1900 West Field Court, Lake Forest, Illinois, 60045, their entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in the application for United States Letters Patent, which has been executed by the undersigned concurrently herewith, and is entitled "**FILL-THROUGH-THE-TOP PACKAGE AND METHOD AND APPARATUS FOR MAKING THE SAME**" such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

**AUTHORIZE AND REQUEST** the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

**WARRANT AND COVENANT** that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

**COVENANT**, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

**TO BE BINDING** on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.



In re Appln. of Athans et al.  
"Fill-Through-the-Top Package and Method  
and Apparatus for Making the Same"

Signature: Toby R. Thomas  
Name: Toby R. Thomas

Date: 8/12/99

STATE OF NY )  
 ) ss.  
COUNTY OF Ontario )

BEFORE ME, the undersigned authority, on this 12<sup>th</sup> day of August, 1999,  
personally appeared Toby R. Thomas, known to me to be the person whose name is  
subscribed to the foregoing instrument and acknowledged to me that he executed the same of  
his own free will for the purposes and consideration therein expressed.

Colleen J. White  
Notary or Consular Officer

[SEAL]

COLLEEN J. WHITE  
Notary Public, State of New York  
Ontario County #01WH5026778  
Commission Expires April 25, 2000

Signature: Samuel D. Aversa  
Name: Samuel D. Aversa

Date: 8/12/99

STATE OF NY )  
 ) ss.  
COUNTY OF Ontario )

BEFORE ME, the undersigned authority, on this 12<sup>th</sup> day of August, 1999,  
personally appeared Samuel D. Aversa, known to me to be the person whose name is  
subscribed to the foregoing instrument and acknowledged to me that he executed the same of  
his own free will for the purposes and consideration therein expressed.

Colleen J. White  
Notary or Consular Officer

[SEAL]

COLLEEN J. WHITE  
Notary Public, State of New York  
Ontario County #01WH5026778  
Commission Expires April 25, 2000

In re Appln. of Athans et al.  
"Fill-Through-the-Top Package and Method  
and Apparatus for Making the Same"

Signature: John D. Athans Date: 8/12/99  
Name: John D. Athans

STATE OF N.Y. )  
COUNTY OF Putnam ) ss.

BEFORE ME, the undersigned authority, on this 12<sup>th</sup> day of August, 1999,  
personally appeared John D. Athans, known to me to be the person whose name is subscribed  
to the foregoing instrument and acknowledged to me that he executed the same of his own  
free will for the purposes and consideration therein expressed.

Colleen J. White  
Notary or Consular Officer

[SEAL]

COLLEEN J. WHITE  
Notary Public, State of New York  
Ontario County #017015026778  
Commission Expires April 25, 2001

ARNOLD WHITE & DURKEE  
P. O. Box 4433  
Houston, Texas 77210

One Franklin Square  
1301 K Street, N.W.  
Suite 350 East Tower  
Washington, DC 20005



**UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
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Washington, D.C. 20231

JUNE 13, 2001

PTAS



\*101660026A\*

JENKENS & GILCHRIST  
RONALD B. COOLLEY  
1445 ROSS AVENUE, SUITE 3200  
DALLAS, TEXAS 75202-2799

**UNITED STATES PATENT AND TRADEMARK OFFICE  
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RECORDATION DATE: 03/26/2001

REEL/FRAME: 011648/0762  
NUMBER OF PAGES: 4

BRIEF: CHANGE OF NAME (SEE DOCUMENT FOR DETAILS).

**ASSIGNOR:**

TENNECO PACKAGING INC.

DOC DATE: 11/04/1999

**ASSIGNEE:**

PACTIV CORPORATION  
1900 WEST FIELD COURT  
LAKE FOREST, ILLINOIS 60045

SERIAL NUMBER: 09422510  
PATENT NUMBER:

FILING DATE: 10/21/1999  
ISSUE DATE:

SERIAL NUMBER: 09373312  
PATENT NUMBER: 6071011

FILING DATE: 08/12/1999  
ISSUE DATE: 06/06/2000

SERIAL NUMBER: 09466617  
PATENT NUMBER: 6148588

FILING DATE: 12/17/1999  
ISSUE DATE: 11/21/2000

011648/0762 PAGE 2

MARY BENTON, EXAMINER  
ASSIGNMENT DIVISION  
OFFICE OF PUBLIC RECORDS

Under the Paperwork Reduction Act of 1985, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REISSUE APPLICATION: CONSENT OF ASSIGNEE;  
STATEMENT OF NON-ASSIGNMENT**

**Docket Number (Optional)**  
47097-00057USPR

This is part of the application for a reissue patent based on the original patent identified below

Name of Patentee(s): Pactiv Corporation

Patent No.: 6,279,298

Date Patent Issued: August 28, 2001

Title of Invention: Fill-Through-The-Top Package And Method And Apparatus For Making The Same

1. ☒ Filed herein is a statement under 37 CFR 3.73(b). (From PTO/SB/96.)
2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent is in effect.

One of boxes 1 or 2 above must be checked. If multiple assignees, complete this form for each assignee. If box 2 is checked skip the next entry and go directly to "Name of Assignee."

The written consent of all assignees and inventors owning an undivided interest in the original patent is included in this application for reissue.

The assignee(s) owning an undivided interest in said original patent is/are Pactiv Corporation, and the assignee(s) consents to the accompanying application for reissue.

Name of assignee/inventor (if not assigned):

Signature



Date

8/21/03

Type/print name and title of person signing for assignee (if assigned): **Jay S. Barnes**  
**Assistant Secretary**

Burden hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Reissue, Washington, DC 20231

04-11-2001



FORM PTO-1595  
(Rev. 6-93)  
OMB No. 0651-0011 (exp. 4/94)

101660026

PATENTS ONLY

U.S. Department of Commerce  
Patent And Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original document or copy thereof.

## 1. Name of conveying party(ies):

Tenneco Packaging Inc.

Additional name(s) attached? ☐ Yes ☒ No

## 3. Nature of conveyance:

3-26-01

☐ Assignment ☐ Merger  
☐ Security Agreement ☒ Change of Name  
☐ Other

Execution Date: November 4, 1999

## 2. Name and address of receiving party(ies):

Name: Pactiv Corporation

Internal Address:

Street Address: 1900 West Field Court

City: Lake Forest

State: Illinois

Zip: 60045

Additional name(s) & address(es) attached? ☐ Yes ☒ No

## 4. Application number(s) or registration number(s):

If this document is being filed together with a new application, the filing date of the application is:

A. Patent Application No. 09/422,510, filed October 21, 1999

B. Patent No. 6,071,011, issued June 6, 2000  
Patent No. 6,148,588, issued November 21, 2000

Additional numbers attached? ☐ Yes ☒ No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Ronald B. Coolley

Internal Address: Jenkins &amp; Gilchrist

Street Address: 1445 Ross Avenue, Suite 3200

City: Dallas State: TX Zip: 75202-2799

## 6. Total number of applications and patents involved: 3

## 7. Total fee (37 C.F.R. § 3.41): \$120.00

☒ Enclosed☐ Authorized to be charged to deposit account

## 8. Deposit account number: 10-0447 (47097-00057/00031/00075)

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BOE

## 9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Daniel J. Burnham/Reg. No. 59,618

March 22, 2001

Date

Atty. Docket No.: 47097-00057/00031/00075

Total number of pages including cover sheet, attachments and document: 5

Mail documents to be recorded with required cover sheet information to:

U.S. Patent and Trademark Office, Office of Public Records

Crystal Gateway 4, Room 335

Washington, D.C. 20231

04/11/2001 GTDN11- 00000036 09422510

01 FC:581

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CHICAGO 162334v1 47097-00057

State of Delaware  
*Office of the Secretary of State*

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PAGE 1

I, EDWARD J. FREEL, SECRETARY OF STATE OF THE STATE OF DELAWARE, DO HEREBY CERTIFY THE ATTACHED IS A TRUE AND CORRECT COPY OF THE CERTIFICATE OF AMENDMENT OF "TENNECO PACKAGING INC.", CHANGING ITS NAME FROM "TENNECO PACKAGING INC." TO "PACTIV CORPORATION", FILED IN THIS OFFICE ON THE FOURTH DAY OF NOVEMBER, A.D. 1999, AT 4:01 O'CLOCK P.M.



Edward J. Freel, Secretary of State

0624402 8100

001207455

AUTHENTICATION: 0412590

DATE: 05-01-00

**CERTIFICATE OF AMENDMENT**  
**OF**  
**RESTATED CERTIFICATE OF INCORPORATION**  
**OF**  
**TENNECO PACKAGING INC.**

Tenneco Packaging Inc., a corporation duly organized and existing under the General Corporation Law of the State of Delaware (the "Corporation"), does hereby certify that:

1. The Restated Certificate of Incorporation of the Corporation is hereby amended by deleting Article FIRST thereof and inserting the following in lieu thereof:

"FIRST. The name of the Corporation is Pactiv Corporation."

2. The foregoing amendment was duly adopted in accordance with the provisions of Sections 242 and 228 (by the written consent of the sole stockholder of the Corporation) of the General Corporation Law of the State of Delaware.

3. This Certificate of Amendment, and the amendment effected hereby, shall become effective at 4:01 p.m., Eastern Standard Time, on November 4, 1999.

STATE OF DELAWARE  
SECRETARY OF STATE  
DIVISION OF CORPORATIONS  
FILED 04:01 PM 11/04/1999  
991468609 - 0624402



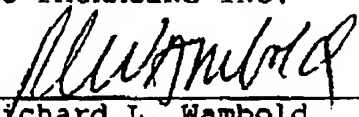
FROM RICHARDS, LAYTON & FINGER #1

(THU) 11. 4' 99 16:37/ST. 16:31/NO. 4861004503 P 17

IN WITNESS WHEREOF, Tenneco Packaging Inc. has caused  
this Certificate to be executed by its duly authorized officer, on  
this 14<sup>th</sup> day of November, 1999.

TENNECO PACKAGING INC.

By: \_\_\_\_\_

  
Richard L. Wambold  
President